



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twelfth day of December Two Thousand Seventeen

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PRESENT

The Hon`ble Mr.Justice M.DHANDAPANI

CRL OP(MD) No.17091 of 2017

1 B.KANNAN
2 P.NELLAIMARI

... PETITIONERS/ACCUSED 1 & 2

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELICITY.
(CR.NO.680 OF 2017)

... RESPONDENT/COMPLAINANT

For Petitioner : Mr.P.SARAVANAKUMAR Advocate

For Respondent : Mr.K.ANBARASAN, Government Advocate (Crl.side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioners, who are arrayed as Accused Nos.1 and 2, apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b) and 506(ii) of I.P.C. r/w. Section 4 of Tamil Nadu Prohibition of Exorbitant Interest Act, 2003 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998, in Crime No.680 of 2017, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant borrowed a sum of Rs. 40,000/- (Rupees Forty Thousand only) from the petitioners and thereafter, the defacto complainant repaid some amount to the petitioners, however, he did not repay the entire amount. When the petitioners demanded the balance amount with huge interest, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel for the petitioners submitted that the petitioners are innocent persons and they did not commit any offence as alleged by the prosecution. He further submitted that in fact the defacto complainant borrowed some amount from the petitioners and in order to cheat the petitioners, the defacto complainant foisted a false case against the petitioners.



4. The learned Government Advocate (Criminal side) appearing for the State submitted that there is no previous case pending against the petitioners and also fairly conceded that the petitioners and the defacto complainant are relatives.

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5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Criminal side), I am inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned Judicial Magistrate No. IV, Tirunelveli, on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees twenty five thousand only) each with two sureties for a like sum to the satisfaction of the respondent Police or to the Police Officer, who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(i) the petitioners shall report before the respondent police, as and when required for interrogation;

(ii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iii) the petitioners shall not abscond either during investigation or trial;

(iv) the petitioners shall not commit any offence while on bail;

(v) On breach of any of the aforesaid conditions, the learned Magistrate/trial Court is entitled to take appropriate action against the petitioners in accordance with law and the anticipatory bail granted stands cancelled automatically.

sd/-
12/12/2017

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE JUDICIAL MAGISTRATE NO. IV

<https://hcservices.ecourts.gov.in/hcservices/>

TIRUNELVELI



2 -do- thro' THE CHIEF JUDICIAL MAGISTRATE
TIRUNELVELI DISTRICT

3 THE INSPECTOR OF POLICE
TIRUNELVELI TOWN POLICE STATION,
TIRUNELVELI CITY.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI

+1. CC to M/S.P.SARAVANAKUMAR Advocate SR.No.36071

ORDER

IN

CRL OP (MD) No.17091 of 2017

Date :12/12/2017

Mrn

SH/PM-PN/SAR-1:18.12.2017:2p/6c